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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91181994
Party	Plaintiff The Federation Of The Swiss Watch Industry
Correspondence Address	Amy J. Benjamin Darby & Darby P.C. 7 World Trade Center, 250 Greenwich Street New York, NY 10007-0042 UNITED STATES tmdocket@darbylaw.com, abenjamin@darbylaw.com, ssaxon@darbylaw.com
Submission	Answer to Counterclaim
Filer's Name	Amy J. Benjamin
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Date	04/16/2008
Attachments	01507091.PDF (3 pages)(23989 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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FEDERATION OF THE SWISS WATCH INDUSTRY,	:	
	:	Opposition No. 91181994
Opposer,	:	
	•	Mark: SWISS MILITARY
v.		CALIBRE
	:	Serial No.: 77/230,495
FIRST SBF HOLDING, INC.,		Filed: July 16, 2007
	:	Published: December 18, 2007
Applicant.	:	
•	:	
	X	

OPPOSER'S ANSWER AND AFFIRMATIVE DEFENSES TO APPLICANT'S COUNTERCLAIM

Opposer, Federation of the Swiss Watch Industry ("Federation"), by its undersigned attorneys, hereby answers the Counterclaim of Applicant First SBF Holding, Inc. ("Applicant"), as follows:

- 17. Federation denies the allegations contained in paragraph 17 of Applicant's Counterclaim.
- 18. Federation denies the allegations contained in paragraph 18 of Applicant's Counterclaim.
- 19. Federation denies the allegations contained in paragraph 19 of Applicant's Counterclaim.
- 20. Federation denies the allegations contained in paragraph 20 of Applicant's Counterclaim.
- 21. Federation denies the allegations contained in paragraph 21 of Applicant's Counterclaim.

- 22. Federation denies the allegations contained in paragraph 22 of Applicant's Counterclaim.
- 23. Federation denies the allegations contained in paragraph 23 of Applicant's Counterclaim.

FIRST AFFIRMATIVE DEFENSE

24. Applicant's Counterclaim fails to state a cause of action for which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

25. Applicant's Counterclaim is barred by the doctrine of unclean hands.

WHEREFORE, Opposer respectfully requests that Applicant's Counterclaim be dismissed with prejudice, that this Opposition be sustained and that the Application be refused registration.

Respectfully submitted,

Dated: April 16, 2008

New York, NY

DARBY & DARBY P.Q

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Attorneys for Opposer Federation Of The Swiss

Watch Industry

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 16, 2008, a copy of the foregoing OPPOSER'S ANSWER AND AFFIRMATIVE DEFENSES TO APPLICANT'S COUNTERCLAIM was served by first class mail, postage prepaid on Applicant's counsel, addressed as follows:

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Skeela Sagn